

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
: 08-CR-288 (SJ)
v. : May 15, 2008
RUKHSANA RAFIQUE, :
THOMAS ARCHER, : Brooklyn, New York
Defendant. :
:
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TRANSCRIPT OF CRIMINAL CAUSE FOR ARRAIGNMENT
BEFORE THE HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Government: BENTON J. CAMPBELL, ESQ.
UNITED STATES ATTORNEY
BY: WHITMAN KNAPP, ESQ.
ASSISTANT U.S. ATTORNEY
271 Cadman Plaza East
Brooklyn, New York 11201

For the Defendant:
Archer KARINA ALOMAR, ESQ.
Rafique MILDRED WHALEN, ESQ.

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Proceedings recorded by electronic sound recording,
transcript produced by transcription service

1 THE CLERK: Criminal cause for arraignment, U.S.A.
2 versus Thomas Archer and Rukhsana Rafique, case number 08-
3 CR-288.

4 Counsel, your appearances.

5 MR. KNAPP: For the government, Whitman Knapp
6 standing in. Good morning, Judge.

7 THE COURT: Good morning.

8 MS. ALOMAR: Karina Alomar on behalf of Mr. Thomas
9 Archer. Good morning, Your Honor.

10 THE COURT: Good afternoon -- good morning, Ms.
11 Alomar.

12 MS. WHALEN: Federal Defender of New York by
13 Mildred Whalen for Ms. Rukhsana Rafique. Good morning, Your
14 Honor.

15 THE COURT: Good morning, Ms. Whalen.

16 And we have an interpreter.

17 THE CLERK: Oh, I'm sorry.

18 (Interpreter is sworn)

19 THE CLERK: And your name for the record?

20 THE INTERPRETER: Alys Bhatti, A-l-y-s B-h-a-t-t-
21 i, language is Urdu, U-r-d-u.

22 THE CLERK: Thank you very much.

23 THE INTERPRETER: You're very welcome.

24 THE COURT: Thank you, Mr. Bhatti.

25 THE INTERPRETER: You're welcome.

1 THE COURT: And good morning, Mr. Archer.

2 DEFENDANT ARCHER: Good morning, Your Honor.

3 THE COURT: And good morning, Ms. Rafique.

4 And, Ms. Rafique, it's important that you
5 understand these proceedings. If for any reason you don't
6 understand something that's being interpreted, please tell
7 me and I'll have that portion of the proceedings repeated.

8 Also, both for Mr. Archer and Ms. Rafique, these
9 proceedings are being recorded. So if I ask you a question,
10 it's important that you use your voice to answer yes or no,
11 instead of just nodding your head, which won't be reflected
12 on the Court's record.

13 The purpose of today's proceeding is the grand
14 jury has returned an indictment against you. I'm going to
15 ask you both the same questions.

16 Mr. Archer, have you had the opportunity to review
17 the indictment with your attorney?

18 DEFENDANT ARCHER: Yes, Your Honor.

19 THE COURT: And do you understand the charges that
20 are being made against you?

21 DEFENDANT ARCHER: I do, Your Honor.

22 THE COURT: And, counselor, have you had the
23 opportunity to review the indictment with your client?

24 MS. ALOMAR: Yes, Your Honor.

25 THE COURT: And do you believe that he understands

1 the charges?

2 MS. ALOMAR: Yes, I do, Your Honor.

3 THE COURT: And do you wish me to read the
4 indictment aloud?

5 MS. ALOMAR: No, Your Honor.

6 THE COURT: And are you prepared to enter a plea
7 on your client's behalf?

8 MS. ALOMAR: Yes, Your Honor. I enter a plea of
9 not guilty.

10 THE COURT: A plea of not guilty shall be entered
11 on behalf of Thomas Archer to the counts in the indictment.

12 And, Ms. Rafique, have you had the opportunity to
13 review this indictment with Ms. Whalen?

14 DEFENDANT RAFIQUE: Yes.

15 THE COURT: And do you understand the charges that
16 are being made against you?

17 DEFENDANT RAFIQUE: Yes.

18 THE COURT: Ms. Whalen, have you had the
19 opportunity to review the indictment with your client?

20 MS. WHALEN: Yes, I have.

21 THE COURT: Do you believe she understands it?

22 MS. WHALEN: Yes, I do.

23 THE COURT: Do you wish me to read the indictment
24 aloud?

25 MS. WHALEN: No, we'll waive the public reading

1 and I'll offer a plea of not guilty.

2 THE COURT: A plea of not guilty shall be entered
3 on behalf of Ms. Rafique to all counts in the indictment
4 pertaining to her.

5 Is there a next court date set, Mr. Knapp?

6 MR. KNAPP: Your Honor, there is not. However,
7 AUSA Tocci will contact defense counsel in short order, once
8 one has been established, and let them know what it is.

9 THE COURT: Ms. Rafique and Mr. Archer, Mr. Knapp
10 is standing up for his colleague, Ms. Tocci, who is assigned
11 the case. She will be in touch with Ms. Alomar and Ms.
12 Whalen to tell them the next court date.

13 And whatever that date is will be an appearance
14 before the Honorable Sterling Johnson, who is the district
15 judge assigned to try your case. And your attorney will be
16 in touch with you before that date to prepare you for that
17 conference.

18 Is there anything further on behalf of the United
19 States today, Mr. Knapp?

20 MR. KNAPP: No, Your Honor.

21 THE COURT: Anything further, Ms. Alomar, on
22 behalf of Mr. Archer?

23 MS. ALOMAR: No, Your Honor.

24 THE COURT: Anything further on behalf of Ms.
25 Rafique?

1 MS. WHALEN: No, Your Honor.

2 THE COURT: Then this matter is adjourned. Thank
3 you.

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18 I certify that the foregoing is a correct transcript
19 from the electronic sound recording of the proceedings in
20 the above-entitled matter.

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25 ELIZABETH BARRON

May 3, 2010